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8 **BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

9 In Re: The Matter of Enforcement Action
10 Against:

11 JAMES WILSON III,

12 Respondent.
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PDC CASE NO. 159274

FINAL ORDER ON REQUEST
FOR REVIEW

15 This matter was heard by the Washington State Public Disclosure Commission
16 (Commission) on January 23, 2025, by in-person, telephonic, and online streaming access.
17 Respondent James Wilson III requested review on January 17, 2025, of the Presiding Officer's
18 Order entered on January 17, 2025, following a Brief Enforcement Hearing on December 19,
19 2024. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter
20 390-37 WAC.

21 Commissioners present in-person and online were Allen Hayward, Commission Chair,
22 J. Robert Leach, Commission Vice-Chair (Presiding), and Commissioners Nancy Isserlis,
23 Douglass North, and James Oswald. Also present in-person and online were Assistant Attorney
24 General John S. Meader representing the Commission, Assistant Attorney General Susie Giles-
25 Klein representing PDC Staff, and Tabitha Townsend, PDC Compliance Officer. Notice was
26 provided to the Respondent and he appeared through his counsel, Conner Edwards. The

1 respondent submitted a written waiver of the ten-day hearing notice requirement to allow this
2 matter to be heard at the Commission's January regular meeting. The proceeding was open to
3 the public and recorded.
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5 The Commissioners had before them the following materials:

- 6 1. Case memorandum dated January 21, 2025, prepared by Tabitha Townsend, PDC
7 Compliance Officer;
- 8 2. Brief Enforcement Hearing Memo, including exhibits 1-12, dated December 6, 2024;
- 9 3. Respondent's Response to Staff Memorandum and Request for Dismissal, dated
10 December 16, 2024;
- 11 4. Initial Order Imposing Fine, entered January 17, 2025;
- 12 5. Respondent's written request for review, dated January 17, 2025;
- 13 6. Email from Respondent's Attorney waiving the 10-day notice requirement, dated
14 January 17, 2025;
- 15 7. Review Hearing Notice served January 21, 2025.
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17 **I. FINDINGS OF FACT**

18 The matter involved Respondent's request for the Commission to review an Initial Order
19 entered on January 17, 2025, resulting from an Initial Hearing on December 19, 2024, regarding
20 James Wilson III, a candidate for State Senator, Legislative District 3 in the 2024 election cycle.
21 The presiding Officer at the Brief Adjudicative Proceeding found the Respondent in violation of
22 RCW 42.17A.205 and WAC 390-16-125 by exceeding Mini-Reporting limits prior to receiving
23 approval of a completed application to change reporting options. At the December 19, 2024,
24 hearing, the Presiding Officer imposed a \$150 penalty which the Respondent now requests the
25 Commission review. The Respondent has no prior violations with the PDC.
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1. As a candidate for election, the Respondent initially chose the Mini-Reporting option and was required to remain within the Mini-Limits until a request to change to Full-Reporting was approved by the Executive Director.
2. On August 19, 2024, the Respondent requested to move from Mini-Reporting to Full-Reporting. The Respondent continued to file his reports timely during this period.
3. As of August 25, 2024, the Respondent had exceeded Mini-Reporting limits prior to receiving approval from the Executive Director.
4. On September 9, 2024, the Respondent sent in a statement acknowledging the violation of WAC 390-16-125 for exceeding the limitations of the Mini-Reporting option and agreed that Staff's approval of the change to the Full-Reporting option did not absolve the campaign of the liability for a violation found by the PDC. The Executive director approved the change to Full-Reporting on September 11, 2024.
5. A Brief Enforcement Hearing was held December 19, 2024, where the Respondent was found to have violated RCW 42.17A.205 and WAC 390-16-125 and the Presiding Officer imposed a \$150 civil penalty.

5. On January 17, 2025, an Initial Order was issued finding the Respondent in violation of RCW 42.17A.205 and WAC 390-16-125, and the Respondent requested review by the full Commission that same day.
6. On January 21, 2025, PDC staff served the Respondent by email with a hearing notice for a January 23, 2025, Review Hearing before the Commission, along with instructions on how to participate in the hearing remotely.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC.
2. Pursuant to RCW 42.17A.205 and WAC 390-16-0125, a candidate for election year 2024 who initially chose the Mini-Reporting option was required to apply for a change to the Full-Reporting option and wait until the change was reviewed and approved by the Executive Director before exceeding Mini-Reporting limits. Changes to Full-Reporting are automatically authorized but must wait for approval from the Executive Director to verify all criteria for the change have been met.
3. As an administrative agency, the Commission does not have authority to review or decide issues of constitutional law. The Commission acts in accordance with its existing statutes and rules and presumes they are constitutional.

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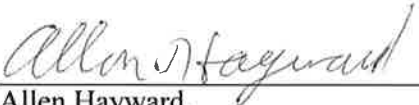
III. ORDER

This Order on Review will be the Final Order. After consideration of the unique facts of this case and the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Initial Hearing Order finding the Respondent in violation of RCW 42.17A.205 and WAC 390-16-125 is MODIFIED. On review the Commission affirms the violation but vacates the entirety of the \$150 civil penalty.

SO ORDERED this 30th day of January, 2025.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Allen Hayward,
Chair, Public Disclosure Commission

This order sent by email to:

James Wilson III, Respondent,
jimwilsonforwashington@gmail.com;
and c/o Connor Edwards, Attorney,
cg.edwards53@gmail.com

Tabitha Townsend,
PDC Compliance Officer,
pdc@pdc.wa.gov

I, Tabitha Townsend certify that I emailed a copy of this order to the Respondent at his respective email address.



Signed

1/30/25

Date

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2 **NOTICE: RECONSIDERATION**

3 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
4 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
5 you. Any Request for reconsideration must state the specific grounds for the relief requested.
6 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
7 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

8 **NOTICE: PETITION FOR JUDICIAL REVIEW**

9 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
10 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
11 Order must be filed with the court and also served upon both the Commission and the Office of
12 the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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